

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**TUNKARA YAHYA,**

**Petitioner,**

**v.**

**Case No. 2:17-cv-1021; 17-cv-1073**

**Judge Algenon L. Marbley**

**Magistrate Judge Chelsey M. Vascura**

**ATTORNEY GENERAL, *et. al.*,**

**Respondent.**

**ORDER**

On June 27, 2018, the Magistrate Judge issued a Report and Recommendation recommending that this consolidated action for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be dismissed and that Petitioner's Motion for an Immediate Stay of Removal be denied.

*See Case Number 2:17-cv-1021 (ECF No. 15); Case Number 2:17-cv-1073 (ECF No. 17.)*

Although the parties were advised of the right to file objections to the Magistrate Judge's Report and Recommendation, and of the consequences of failing to do so, no objections have been filed.

The Court notes that the docket reflects that notice of the Report and Recommendation was returned as undeliverable, with no forwarding address. Although Petitioner may no longer reside at the address he initially provided, he has an affirmative duty to notify the Court of any change in address. *See Barber v. Runyon*, No. 93-6318, 1994 WL 163765, at \*1 (6th Cir. May 2, 1994) (“If [pro se Plaintiff's] address changed, she had an affirmative duty to supply the court with notice of any and all changes in her address.”); *see also Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (“[W]hile pro se litigants may be entitled to some latitude when dealing with sophisticated legal issues . . . there is no cause for extending this margin to straightforward procedural requirements that a layperson can comprehend.”); *Walker v. Cognis Oleo Chem.*,

*LLC*, No. 1:07cv289, 2010 WL 717275, at \*1 (S.D. Ohio Feb. 26, 2010) (“By failing to keep the Court apprised of his current address, Plaintiff demonstrates a lack of prosecution of his action.”).

Therefore, the Report and Recommendation (ECF Nos. 15, 17) is **ADOPTED** and **AFFIRMED**. The Motion for an Immediate Stay of Removal (ECF Nos. 2, 3) is **DENIED**. The Motion to Dismiss (ECF No. 7) is **GRANTED**. This action is hereby **DISMISSED**.

Petitioner has waived his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court thus **DECLINES** to issue a certificate of appealability.

**IT IS SO ORDERED.**

**DATED: July 20, 2018**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**